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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
WELTER, RACHAEL E	

ART UNIT	PAPER NUMBER
1611	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/552,011	GOMEZ TORRES, HAROLD ARMANDO	
	Examiner	Art Unit	
	RACHAEL E. WELTER	1611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *3/22/10*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-13 and 15-20* is/are pending in the application.

4a) Of the above claim(s) *12 and 13* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-11 and 15-20* is/are rejected.

7)☒ Claim(s) *8, 16, and 19* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *3/26/10*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Status

Claims 1-2, 4-13, and 15-20 are pending. Claims 12-13 are withdrawn. Claims 1-2, 4-11, and 15-20 are drawn to the elected invention. Claims 3 and 14 are cancelled.

Acknowledgments

Receipt of the amendment and remarks/arguments filed on 3/22/10 is acknowledged.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on March 26, 2010 is in compliance with the provisions of 37 CFR 1.97 and 37 CFR 1.98. Accordingly, the information disclosure statement was considered by the examiner. A signed copy of form 1449 is enclosed herewith.

Withdrawn Rejections

The rejection of claim 14 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention is withdrawn in light of applicant's cancellation of the claim.

The rejection of claims 1-2, 4-10, and 14-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Klein (US Patent No. 5,980,918) in view of Parrilla (US Patent

No. 5,024,838) and Beitner (US Patent No. 4,777,171) is withdrawn in light of applicant's amendments.

The rejection of claim 11 rejected under 35 U.S.C. 103(a) as being unpatentable over Klein (US Patent No. 5,980,918) in view of Parrilla (US Patent No. 5,024,838) and Beitner (US Patent No. 4,777,171) as applied to claims 1-2, 4-10, and 14-20 above and in further view of Chen (US Publication No. 2003/01700182) is withdrawn in light of applicant's amendments.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

The rejection of claims 1-2, 4-11, and 15-20 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention is maintained.

Claim 1 recites a first barrier gel, a second barrier gel, an active principle having proteolytic activity, chlorhexidine, and an aesthetic agent. It is unclear whether claim 1 is reciting components of a kit or whether the claim is drawn to a composition. In the instant specification according to example 1, the examiner notes that a carbopol gel is made, a carboxymethylcellulose gel is made, and then the two gels are combined with papain to make a single composition. In instant claim 1, applicant is claiming a composition in the preamble but then claiming the gels separately. Thus, it seems as if applicant is claiming components of a kit.

For purposes of examination, the examiner will interpret the claim as a single composition comprising carboxypolymethylene, an emulsifier, another thickening agent, a preservative, water, an active principle having proteolytic activity, an anesthetic agent, and chlorohexidine.

Response to Arguments

Applicant's arguments filed 3/22/10 have been fully considered but they are not persuasive.

Applicant argues that the instant invention is a composition as described in the specification. However, the various components of the composition are separately prepared and then mixed together. Applicant notes that they amended the claims to clarify the features of the invention.

The examiner acknowledges that various components of the composition are separately prepared and then mixed together. However, the fact remains unclear whether applicant is claiming a composition or a kit. Although applicant made minor amendments to the claims, it still appears as if applicant is claiming components of a kit because each gel is claimed separately.

Thus, the rejection of the instant claims is maintained for the reasons stated above.

Rejections Maintained and New Grounds of Rejections/Objections Necessitated by Amendment

Claim Objections

Claim 8 is objected to because of the following informalities. The fourth and fifth line of claim 8 is a duplicate. Appropriate correction is required.

Claim 16 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 5. Additionally, claim 19 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 6. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-2, 4-10, and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klein (US Patent No. 5,980,918; Published 11/9/1999) in view of Parrilla (US Patent No. 5,024,838; Published 6/18/1991), Beitner (US Patent No. 4,777,171; Published 10/11/1998), and Chen (US Publication No. 2003/01700182; Published 9/11/2003).

Klein teaches a topical composition for healing treatment of burns that comprises 80-98 wt.% water, cereal-derived β-D-glucan, 0.1-5 wt.% triethanolamine, 0.01-2 wt.% carboxymethylcellulose, polyvinyl alcohol, 0.01-2.0 wt.% Carbopol carbomer, EDTA, and 0.01-2 wt.% paraben(s) (claim 15; column 6, lines 60-69). According to Klein, parabens that can be incorporated in the composition include methylparaben, propylparaben, ethylparaben, butyl paraben, or mixtures thereof (column 4, lines 49-51). The composition may be formulated in various forms with creams and gels being preferred for application to the skin (abstract).

Klein does not teach the incorporation of an anesthetic agent or an active principle having proteolytic activity to its composition.

Parilla teaches a composition for the treatment of skin injuries, such as burns. According to Parilla, the composition can comprise a proteolytic enzyme, papain (claim 2). Parilla teaches that the enzyme in the composition reinforces proteolysis and speeds up the procedure of biochemical debridement (column 4, lines 6-8). Additionally, Parilla teaches that infections are avoided when using this composition and the time for cicatrization is shorter (column 4, lines 8-11). Parilla teaches that papain can be added in an amount of 0.005-0.5 wt.% (claim 1).

Beitner teaches a composition for the prophylactic and therapeutic treatment of trauma to the skin, particularly burns, sunburn, and frostbite (abstract). According to Beitner, a suitable local anesthetic can be incorporated in the topical preparation to provide immediate relief from burn pain. These local anesthetics include lidocaine hydrochloride in an amount of 0.1-10 wt.% (column 3, lines 37-47).

Therefore, it would have been obvious to an artisan of ordinary skill at the time the invention was made to add a proteolytic enzyme, such as papain to the topical composition of Klein. One would have been motivated to do so since the composition of Klein is used for treating burns and Parilla teaches that papain speeds up the procedure of biochemical debridement. Thus, one would have been motivated to add papain to the composition of Klein in order to reduce infections and shorten the time for cicatrization. Additionally, it would have been obvious to an artisan of ordinary skill at the time the invention was made to add an anesthetic agent, such as lidocaine to the composition of Klein. One would have been motivated to do so in order to provide immediate relief from burn pain, as suggested in Beitner.

Additionally, Klein does not teach the addition of chlorhexidine to its compositions.

Chen teaches a topical spray for burn treatment (abstract) that incorporates chlorhexidine that can be incorporated in an amount of 0.05-10 wt.% of a cream, lotion, or gel (paragraph 0021, 0022). According to Chen, chlorhexidine is an antiseptic and disinfectant effective against a wide range of bacteria, some fungi, and some viruses (paragraph 0021).

Therefore, it would have been obvious to an artisan of ordinary skill at the time the invention was made to add chlorhexidine to the composition of Klein used for the treatment of burns. One would have been motivated to do so in order to prevent infection from bacteria, fungi, and some viruses in a burn wound, as suggested in Chen.

Regarding the limitations directed to the amount of the instant components (i.e. carbopol, carboxmethylcellulose) in each gel and the amount of each gel in the composition (claims 7-8), the examiner directs applicant's attention to the 112, second paragraph rejection above. Since the examiner is interpreting the instant claims as being directed to a single composition (i.e. not a kit) and the examiner does not have access to laboratory equipment, burden is on applicant to prove that the amounts of the components in the prior art do not read on those instantly claimed. When the reference discloses all the limitations of a claim except a property or function and the examiner cannot determine whether or not the reference inherently possesses properties which anticipate or render obvious the claimed invention, the examiner can shift the burden of proof to applicant as in *In re Fitzgerald, 619 F.2d 67, 205 USPQ 594 (CCPA 1980)*.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Klein (US Patent No. 5,980,918; Published 11/9/1999) in view of Parrilla (US Patent No. 5,024,838; Published 6/18/1991), Beitner (US Patent No. 4,777,171; Published 10/11/1998), Chen (US Publication No. 2003/01700182; Published 9/11/2003) as applied to claims 1-2, 4-10, and 15-20 above and in further view of Lezdey et al (US Patent No. 6,262,020; Published 7/17/2001).

The disclosures of Klein, Parrilla, Beitner, and Chen are described above.

Klein, Parrilla, Beitner, and Chen do not teach the addition of urea to its compositions.

Lezdey et al relate to formulations containing hyaluronic acid and a serine protease. The mixtures can be further combined with calcium, phosphate, uric acid, urea, sodium, potassium, chloride and magnesium, all elements found in amniotic fluid, to provide a unique synergy that is effective in the treatment of burns, open sores, incisions and wounds in mammals (column 2, lines 13-22).

Therefore, it would have been obvious to an artisan of ordinary skill at the time the invention was made to add urea to the composition of Klein used for the treatment of burns. One would have been motivated to do so since Lezdey et al suggest that urea is effective in the treatment of burns, open sores, incisions, and wounds. Furthermore, one would have a reasonable expectation of success that urea in combination with the components taught in Klein's composition would result in a complementary or possibly synergistic effect in treating burns. It is prima facie obvious to combine two compositions each of which is taught by the prior art to be useful for the same purpose, in order to form a third composition to be used for the very same purpose.... [T]he idea of combining them flows logically from their having been individually taught in the prior art." *In re Kerkhoven, 626 F.2d 846, 850, 205 USPQ 1069, 1072 (CCPA 1980)* (see MPEP 2144.06).

Response to Arguments

Applicant's arguments filed 3/22/10 have been fully considered but they are not persuasive.

Applicant argues that the mixture of the two protective gel barriers constructs a topical gel composition having unexpected advantageous properties for the treatment of superficial burns and skin injuries. However, applicant argues that Klein uses carboxypolymethylene as a vehicle without any specific therapeutic function. Applicant notes that carboxypolymethylene is used at 0.5 wt.% in Klein, whereas the instant composition of claim 5 uses it at 1.5-2.5% with a therapeutic action.

Although applicant notes that the present invention has unexpected properties, applicant is merely arguing and has presented no objective evidence that the present invention has unexpected properties. It should be noted that, "The arguments of counsel cannot take the place of evidence in the record. *In re Schulze, 346 F.2d 600, 602, 145 USPQ 716, 718 (CCPA 1965).*" Applicant has not provided any factual evidence establishing unobviousness. According to MPEP 716.02(b), evidence of unexpected properties may be in the form of a direct or indirect comparison of the claimed invention with the closest prior art which is commensurate in scope with the claims. See *In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980)* and MPEP §716.02(d) - § 716.02(e). In regard to applicant's arguments that Klein does not teach sufficient carboxypolymethylene (1.5-2.5%) to have a therapeutic function, the examiner directs applicant's attention to claim 15, wherein Klein teaches a topical gel with carbomer in an amount of 0.01-2 wt.%. As such, contrary to applicant's arguments,

Klein does envisage incorporating the instant amount of carboxypolymethylene to achieve a therapeutic function.

Applicant further argues the components in Klein are all mixed to create creams and gels, whereas with the present invention two barrier gels are required. Applicant argues that Klein teaches that both triethanolamine and parabenes are used as stabilizers and preparation preservatives.

In regard to applicant's arguments that the present invention has two barrier gels, the examiner directs applicant's attention to the 112, second paragraph rejection above. Since it is unclear whether applicant is claiming components of a kit or a composition, the examiner is interpreting the claim as a single composition comprising carboxypolymethylene, an emulsifier, another thickening agent, a preservative, water, an active principle having proteolytic activity, an anesthetic agent, and chlorohexidine. It is noted in example 1 of the instant specification that a carbopol gel is made, a carboxymethylcellulose gel is made, and then two gels are combined with papain to make a single composition. Like Klein, the components of the present invention are all mixed together to create a single gel. As such, it is not clear how such a composition is different from the prior art. Burden is on applicant to show unexpected results. It is the position of the examiner that the alleged advantages of the present invention according to applicant would be obvious expected properties given that that the combination of the prior suggests all the components of the composition. A chemical composition and its properties are inseparable. Therefore, if the prior art teaches an identical preparation, the properties applicant discloses and/or claims are necessarily present as *In re Spada,*

911 F.2d 705, 709, 15 USPQ2d 1655, 1658 (Fed. Cir. 1990). Regarding applicant's argument that triethanolamine and parabenes are both used as stabilizers and preparation preservatives in Klein, it is noted that Klein teaches that triethanolamine is a suitable emulsifying or solubilizing agent and that the parabenes are a suitable antimicrobial agent (see column 4, lines 42-52).

Applicant argues that Parrilla fails to make up the deficiencies of Klein. Applicant submits that the composition of the present invention provides analgesia not only by covering nerve endings but also with the use of a local anesthetic, such as lidocaine. Furthermore, unlike Parrilla, the instant invention comprises the antiseptic, chlorhexidine, which has important advantages. Applicant argues that Parrilla teaches the use of a proteolytic enzyme for tissue debridement to prevent the occurrence of infections, but does not teach that the enzyme treats infection once it occurs and that the enzyme can remove bacteria.

In response to applicant's arguments regarding Parrilla, the examiner's arguments regarding Klein are addressed above and incorporated herein. Additionally, it is noted that even though Parrila fail to teach an anesthetic and the instant antiseptic, it is noted that the rejection is based on a combination of references. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). It is noted that Beitner and Chen are both cited for the obvious use of an anesthetic and chlorhexidine respectively. Regarding applicant's argument that Parrilla teaches the

use of a proteolytic enzyme for tissue debridement to prevent the occurrence of infection but not that the enzyme treats infection once it occurs, it is noted that the features upon which applicant relies (i.e., a proteolytic enzyme treating infection once it occurs) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, it would be expected that such a proteolytic enzyme would be capable of treating infection once it occurs and can remove bacteria absent any proof otherwise.

Regarding Beitner and Chen, applicant further argues that the secondary references fail to make up for the deficiencies of Klein and/or Parrila so as to teach or suggest the instant invention.

In response to applicant's arguments regarding Beitner and Chen, it is noted that the examiner's arguments regarding Klein are addressed above and incorporated herein. Beitner and Chen were only cited for teaching an anesthetic agent and chlorhexidine respectively and applicant has not argued these teachings.

As such, it is the position of the examiner that the amended claims are rendered obvious over the prior art cited above.

New Rejection Necessitated by the IDS Filed 3/26/10.

Claims 1-2, 4-10, and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over CO 96/007011; Published 12/29/1998) in view of Beitner (US Patent No. 4,777,171; Published 10/11/1998), and Chen (US Publication No. 2003/01700182; Published 9/11/2003).

The Columbian Office Action translates CO '011. CO '011 discloses a topical composition in the form of a gel comprising a carbopol gel comprising carbopol (2-2.5 wt.%), triethanoloamine(0.2-0.51%), methylparaben (0.2-0.51%), water up to 100%, and papain. The composition is useful for superficial skin burns, which upon being applied on the lesion produces a dressing colloidal (see pp. 3-4 of Office Action). Page 15 of CO' 0111 show a composition of a first gel with carbopol (2 wt.%), water, and triethanolamine (2.23 wt.%) , a second gel with carboxymethylcellulose (3 wt.%), propyl paraben (0.5 wt.%) methyl paraben (0.5 wt.%), water, and finally papain (0.5 wt.%). The first gel is present in an amount of 25 wt%, the second gel is present in an amount of 74.5 wt.%, and papain is present in an amount of 0.5 wt.% of the total composition.

CO '011 does not teach the incorporation of an anesthetic agent, such as lidocaine and chlorhexidine.

Beitner teaches a composition for the prophylactic and therapeutic treatment of trauma to the skin, particularly burns, sunburn, and frostbite (abstract). According to Beitner, a suitable local anesthetic can be incorporated in the topical preparation to provide immediate relief from burn pain. These local anesthetics include lidocaine hydrochloride in an amount of 0.1-10 wt.% (column 3, lines 37-47).

Chen teaches a topical spray for burn treatment (abstract) that incorporates chlorhexidine that can be incorporated in an amount of 0.05-10 wt.% of a cream, lotion, or gel (paragraph 0021, 0022). According to Chen, chlorhexidine is an antiseptic and disinfectant effective against a wide range of bacteria, some fungi, and some viruses (paragraph 0021).

Therefore, it would have been obvious to an artisan of ordinary skill at the time the invention was made to add an anesthetic agent, such as lidocaine to the composition of CO '011. One would have been motivated to do so in order to provide immediate relief from burn pain, as suggested in Beitner. Furthermore, it would have been obvious to an artisan of ordinary skill at the time the invention was made to add chlorhexidine to the composition of CO "011 used for the treatment of burns. One would have been motivated to do so in order to prevent infection from bacteria, fungi, and some viruses in a burn wound, as suggested in Chen.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over CO 96/007011; Published 12/29/1998) in view of Beitner (US Patent No. 4,777,171; Published 10/11/1998), and Chen (US Publication No. 2003/01700182; Published 9/11/2003) as applied to claims 1-2, 4-10, and 15-20 above and in further view of Lezdey et al (US Patent No. 6,262,020; Published 7/17/2001).

The disclosures of CO '011 Beitner, and Chen are described above.

CO '011, Beitner, and Chen do not teach the addition of urea to its compositions.

Lezdey et al relate to formulations containing hyaluronic acid and a serine protease. The mixtures can be further combined with calcium, phosphate, uric acid, urea, sodium, potassium, chloride and magnesium, all elements found in amniotic fluid, to provide a unique synergy that is effective in the treatment of burns, open sores, incisions and wounds in mammals (column 2, lines 13-22).

Therefore, it would have been obvious to an artisan of ordinary skill at the time the invention was made to add urea to the composition of CO '011 used for the treatment of burns. One would have been motivated to do so since Lezdey et al suggest that urea is effective in the treatment of burns, open sores, incisions, and wounds. Furthermore, one would have a reasonable expectation of success that urea in combination with the components taught in CO '011's composition would result in a complementary or possibly synergistic effect in treating burns. It is prima facie obvious to combine two compositions each of which is taught by the prior art to be useful for the same purpose, in order to form a third composition to be used for the very same purpose.... [T]he idea of combining them flows logically from their having been individually taught in the prior art." *In re Kerkhoven, 626 F.2d 846, 850, 205 USPQ 1069, 1072 (CCPA 1980)* (see MPEP 2144.06).

Conclusion

Claims 1-2, 4-11, and 15-20 are rejected. No claims are allowed.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RACHAEL E. WELTER whose telephone number is (571) 270-5237. The examiner can normally be reached 7:30-5:00 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sharmila Landau can be reached at 571-272-0614. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

REW

/David J Blanchard/
Primary Examiner, Art Unit 1643